

REMARKS

The Examiner in the Official Action finally rejected claims 1-3 and 12-19 under 35 USC § 103(a) as being unpatentable over Parulski et al. (US 6,573,927 B2) in view of Maurinus et al. (US 5,606,365A) for the reasons set forth therein.

As set forth in the background of the present invention, it has been increasingly popular to share digital images over the Internet. However, this has been limited to individuals having relatively expensive computers for the capture and/or transmission of digital data. In addition, when such personal computers are used, the digital data files are transmitted over standard phone lines. Transmission over conventional phone lines generally takes a substantial amount of time due to a limited capacity of typical phone lines. Thus, there is a need to expand the number of individuals that except and transmit digital images without requiring substantial investment and equipment such as a personal computer and do so in a relatively efficient manner.

The Parulski reference is directed to a digital camera that allows the user to select downstream service at the time of capture. See column 2, lines 3-4. Thus, it is the camera that provides all the information necessary for ordering of services. The memory card of the camera is then inserted into a home printer, walk-up kiosk or dropped off/mail to a photofinisher. The print can then be automatically produced without additional user intervention. As acknowledged by the Examiner, Parulski does not teach accessing a cable TV communication unit with a camera or that the cable TV communication unit is capable of communicating with a remote service provider over a broadband communication network or the forwarding of the captured images to the cable TV communication unit for viewing on a monitor associated with the cable TV communication unit. One of the important steps of the claimed invention is selecting at least one image from the captured images viewed on the monitor and at least one photographic service which is to be performed on the at least one image using the cable TV communication unit. Since the ordering of Parulski is already accomplished on the camera, there would be no need to provide the step using the cable TV communication unit as taught and claimed by applicant. In fact, there would be no need for viewing on the monitor as the orders have already been completed.

Thus, the Parulski et al. reference teaches away from using a cable TV communication unit as taught and claimed by applicant.

Further, the Maurinus et al. reference is directed to sending to a third party raw image data to be converted by the third party by is corrected and then returned to the user. See column 5, lines 52-55 and abstract lines 4-8. Since the raw data must first be sent to a third party, it could not teach or suggest the viewing of the images on a TV communication unit prior to sending of the images to the service provider. The present invention operates in a manner opposite to the Maurinus et al. reference. Further, as previously discussed, the Parulski et al. reference does not need or require viewing the images as the print order has already been made. Thus, neither of the cited references teach using the cable TV communication unit for viewing on the monitor and then selecting one image from said captured image viewed on the monitor and the at least one photograph which is to be performed on at least one image and sending at least one image to the service provider over the broadband communication network for fulfillment of the at least one photographic service as taught and claimed by applicant.

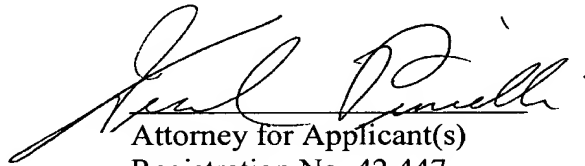
There is no motivation, teaching or suggestion of combining the cited two references. In particular, the Parulski et al. reference is directed to forwarding an already completed order from the digital camera to a home printer, kiosk, etc. Whereas, the Maurinus et al. reference is directed to correcting the raw digital data so that the best possible images can be viewed. The two references are directed to two totally apart and distinct problems and provide totally distinct solutions. There is no motivation, teaching or suggestion in either of the references that one could or should be combined with the other.

Applicant respectfully submits that the references, either individually or in combination do not teach the method as currently set forth in independent claim 1. Likewise, it is respectfully submitted that independent claim 18 is also patentably distinct for the same reasons previously discussed with respect to independent claim 1. The prior art totally fails to teach or suggest the receiving of images on a cable TV communication unit for viewing on the monitor and selecting at least one image from the images viewed on the monitor and requesting an order for at least one photographic goods and/or services which is to be performed with respect to said at least one image to the service provider over the broadband communication network for filling of the at least one

photographic service. As previously discussed, Parulski et al. does not teach or suggest the viewing on a monitor and placing of orders using a TV. communication unit. The Maurinus et al. reference as previously discussed first requires the images to be corrected prior to being viewed on the monitor. As previously discussed, there is no motivation, teaching or suggestion of combining the references as suggested by the Examiner.

In summary, applicants respectfully submits that the application in present form is in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.